

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Berner *et al*\*

SERIAL NO.: 10/769,574

FILED: January 29, 2004

FOR: **GASTRIC RETENTIVE ORAL DOSAGE  
FORM WITH RESTRICTED DRUG  
RELEASE IN THE LOWER  
GASTROINTESTINAL TRACT**

EXAMINER: Holt, Andriae M.

ART UNIT: 1616

CONFIRMATION NO.: 8962

**Amendment under 37 C.F.R. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Non-Final Office Action mailed April 15, 2008 in the above-identified application. Reconsideration in view of the following amendments and remarks is respectfully requested. Accompanying this response is a Petition for a 3-month extension of time to extend the date for response up to and including October 15, 2008.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 6 of this paper.